

1 UNITED STATES DISTRICT COURT

2 Northern District of California

3

4 THOMAS HARVEY

5 Plaintiff(s),

6 v.

7 APPLE INC.

8 Defendant(s).

Defendant(s).

No. C 09-05242 MEJ

9

10 **ORDER DIRECTING PARTIES TO
11 FILE CONSENT/DECLINATION
12 FORM**

13 Pending before the Court are two motions/applications regarding counsel representing both
14 parties. Upon review of the record in this action, the Court notes that the parties have not filed
15 written consents to Magistrate Judge James' jurisdiction. This civil case was randomly assigned to
16 Magistrate Judge James for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the
17 magistrate judges of this district court are designated to conduct any and all proceedings in a civil
case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a
judgment entered by Magistrate Judge James may be taken directly to the United States Court of
Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district
court.

18 You have the right to have your case assigned to a United States District Judge for trial and
19 disposition. Accordingly, the parties shall inform the Court whether they consent to Magistrate
20 Judge James' jurisdiction or request reassignment to a United States District Judge for trial. A copy
21 of both the consent and declination forms may be obtained from the Northern District of California's
22 website at <http://www.cand.uscourts.gov/>. From the homepage, click on the "Forms" tab on the left
23 margin, then choose "Civil." The parties shall inform the Court of their decision by December 29,
24 2009.

25 **IT IS SO ORDERED.**

26

27 Dated: December 17, 2009

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Maria-Elena Jones
Chief United States Magistrate Judge